United Nations A/HRC/37/NGO/108

General Assembly

Distr.: General
13 February 2018

English only

Human Rights Council
Thirty-seventh session
26 February-23 March 2018
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by Rencontre africaine pour la défense des droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-02138(E)
1802138

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Situation of Slavery of African Migrants in Libya and the Maghreb

RADDHO is highly alarmed by the barbaric acts of the morally reprehensible and dehumanizing situation of slavery and human trafficking in Libya and the Maghreb region – the North African sub-region being both a key migrant transit hub as well as host to migrants and refugees.

Recalling that since the start of the Libyan crisis, RADDHO has assumed the responsibility of providing the Human Rights Council with two written communications, which are contained in the document A/HRC/17/NGO/1 and A/HRC/17/NGO/2 regarding xenophobia and racism against black migrant workers and refugees in Libya.

Despite RADDHO's calls to address the crisis, as well as other interventions on the human trafficking of migrants, nothing has been done. Being well-informed of the situation that prevails in the Maghreb and the Sahel, RADDHO is not surprised by the current slave trade in the region, which takes us back to the dark ages of the Trans-Saharan and Trans-Atlantic Slave Trades.

The slave trade happening in Libya profits criminal enterprises, which has its ramifications in countries of origin in the Maghreb and in Europe. The transnational criminal economy profiting from the trans-Mediterranean migration crisis is of grave concern. It is incumbent upon all Member States to heed the call of the United Nations to heighten efforts in dismantling human trafficking networks, in the particular in the Maghreb region and in Libya.

Since the convening of the Valletta Summit on Migration in 2015, which resulted in the Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa, European and African leaders have multiplied their meetings without any credible results to put an end to the migratory flow of the youth. This migratory flow can only be resolved by attacking the political roots of the crisis: poverty, hunger, bad governance, corruption, illiteracy, multiplication of conflicts as well as the lack of prospects and employment for young Africans. RADDHO holds responsible both African and European leaders for this deplorable situation.

Before the fall of the Libyan dictator, Colonel Gaddafi, the European Union transferred colossal amounts of more than USD 5 billion to the Gaddafi regime in order to keep migrants from entering Europe. The former dictator, during his visit to Italy in September 2010, allowed himself to say, in front of Mr. Berlusconi, that if he did not receive more money, the immigration of black barbarians to Christian and white lands would blacken the entire Europe. European leaders pursue the same inhuman policy of financial support to countries such as the Sudan, Mauritania, and Niger – countries that use the funds from the European Union to repress and enslave its own populations. The same concentration camps that reined in Gaddafi's time are now erected in Sudan, Niger, and Mauritania, making these countries the most slave-holding societies in the 21st century.

The IOM reports that between 2011 and 2016 approximately 630,000 used the Central Mediterranean Route to reach Italy, with almost 90% of them departing from Libya, other countries of departure including Egypt, Algeria and Tunisia.

In Algeria, since 2016, RADDHO was shocked by the recent declaration of the Algerian Prime Minister Mr. Ahmed Ouyahia that sub-Saharan migrants were at the origin of crime and drug trafficking and that the Algerian population should not suffer this anarchy.

Since the agreement between Algeria and Niger in 2014 regarding repatriation, Algerian gendarmerie have engaged in witch hunts and mass expulsions of migrants followed by ill treatment, insults and at times involving nocturnal arrest where migrants are detained in Camp Zeralda, without distinction between men and women. In addition to this cantonment, migrants are at times detained in the desert in Camp Tamanrasset from where they are then expelled. To date, RADDHO has received damning testimony of several nationals of Mali, Senegal, Guinea Conakry, Chad, Niger, and DRC.

The problem of the question on migration in Algeria is found at the level of penalization of illegal migration; Articles 42 and 44 of Law number 08-11of 25 June 2008 penalizes the irregular entry, residence in and movement within Algerian territory. Algeria does not have legislation concerning refugee status and asylum seekers. This judicial weakness allows Algerian authorities to offer inadequate reception and administrative handling to migrants.

Morocco is one of the few countries in the region with a migration policy that has seen the regularization of nearly 23,000 illegal migrants in 3 years since 2013. However, xenophobia against African migrants remains in some of its cities, including Tangier.

What is happening in Libya, the Maghreb and along the Central Mediterranean Routes is but the tip of an iceberg. RADDHO is deeply concerned that the atrocities and violations of human rights in the region constitute crimes against humanity. Governments' obligation to protect the human rights of victims of human trafficking, mostly migrants and refugees, is being neglected; the lack of anti-trafficking laws emboldens human traffickers to operate with impunity perpetrating heinous abuses of human rights. Intensified efforts to address the situation, in countries of origin, transit and, destination, must act upon eradicating the root causes and drivers, such as poverty, as well as bringing those responsible to account.

RADDHO welcomes continuing UN efforts – in collaboration with principal stakeholders including the Government of Libya, The African Union and the European Union – to strengthen reception and protection mechanisms, such as the EU-IOM Joint Initiative for Migrant Protection and Reintegration in Africa.

Conclusions and recommendations:

- RADDHO condemns these atrocities and violations of human rights, which constitute a crime against humanity;
- Urges African Union and Libyan authorities to engage in credible investigations to put an end to these criminal acts in order to bring the principal culprits to justice and make them accountable for their acts before the competent courts;
- Calls for a Special Session of the Human Rights Council in order to put an end to these crimes against humanity;
- Invites the Mandate Holders and Special Procedures to undertake a visit to the Maghreb in order to shed light on this humiliating and dehumanizing situation, and call on all countries to facilitate, without restrictions, the visit of Mandate Holders;
- Supports Security Council resolution 2388 (2017);
- Calls on African and European leaders to implement the Declaration of the 5th EU-Africa Summit in Abidjan in 2017 in view of deploying the necessary means to immediately repatriate those persons suffering in Libya;
- Requests the international community to reinforce identification measures, registration, and assistance adapted to gender and age of migrants;
- Recommends the creation of a reliable database for the establishment of a prevention ad early-warning system;
- RADDHO reaffirms its support of the United Nations Action Plan for Libya.